

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GRAHAM STROUSE : **CIVIL ACTION**
:
v. : **No. 07-4514**
:
MICHAEL J. ASTRUE, :
Commissioner of Social Security Administration :

ORDER

AND NOW, this 19th day of March, 2010, after consideration of the pleadings and record, and review of the Report and Recommendation of United States Magistrate Judge Linda Caracappa, and the parties' objections thereto, it is ORDERED:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Strouse's Request for Review is GRANTED as to the issue of the ALJ's failure to include Strouse's moderate difficulties in maintaining concentration, persistence, or pace in the hypothetical question posed to the VE.
3. Strouse's request is DENIED in all other respects.
4. This matter is REMANDED to the Commissioner of the Social Security Administration in accordance with 42 U.S.C. § 405(g) for further proceedings consistent with this Memorandum and Order.

BY THE COURT:

/s/Juan R. Sánchez
Juan R. Sánchez, J.